

Agenda Item Report



Winnebago County
The Wave of the Future

DATE: December 9, 2022
FROM: Parks and Expo Director
RE: Amend Winnebago County Code – Chapter 19.18 Fireworks and Rockets

General Description: The Parks Department is proposing to amend Chapter 19.18 of the Winnebago County Code in order to include a provision which would allow organized fireworks displays on County owned property.

Requested Action:

The Parks Department recommends that the Parks and Recreation Committee recommends to the County Board to amend Chapter 19.18 of the Winnebago County Code to allow the use of organized fireworks displays within County owned property.

Procedural Steps:

Parks and Recreation Committee	Meeting date: 12/13/22
Action taken:	Vote: Will Present at County Board
County Board	Meeting date: 12/20/22

Background:

Over the years, Winnebago County and the parks department have hosted events which have launched fireworks and other pyrotechnic displays. While reviewing county code for the potential renting of the Sunnyview Expo facility to the Pyrotechnics Guild International, it became clear that all fireworks were prohibited on county grounds – without exception. This prohibition is not consistent with past practice.

The county fair, EAA's Airventure, the former racetrack promoters, rodeos, Lifest, Country USA, and others have all had varying levels of firework displays at their events.

We are seeking to amend county code to allow for exemptions for firework displays to ensure compliance of events the county already hosts and to continue to pursue other events.

Additionally, model rockets are also prohibited by county ordinance. A common use of model rockets are used by Boy Scout troops for their "Space Derby" events. These types of rockets are exempted from state law as fireworks; however, current county code prohibits their use on county grounds.

Policy Discussion:

The proposed exemption is narrow. The average park shelter renter would likely not qualify for approval.

Any potential use of fireworks must comply with all state and federal regulations. Particularly, fireworks are regulated under Wis. Stat. § 167.10.

Under state law, the local municipality must provide for a firework permit for any displays. No event could have fireworks unless the local municipality provided a permit. As is the case with these events now, local

approvals are required for special event and noise considerations. A person or organization who does not obtain municipality approval would continue to be prohibited from shooting fireworks.

Should a town, village, or city reject a firework permit for any reason, the county could not supersede that decision. Local control is thus preserved.

In addition, the person or organizations must provide a certificate of insurance for the display. Currently, large or public events already obtain event insurance and provide proof to the county. Should the person or organization request a fireworks display, the county's insurance carrier will be consulted to ensure the appropriate certificate of insurance is on file with the county for the event.

Lastly, the person or organization will require written approval from the department in charge of the property and the county executive.

Attachments:

- Ordinance